

further?

CLERK: Madam President, I have a second amendment from Senator Warner, AM0691. Senator Warner would move to suspend the germaneness rule so as to permit consideration of the amendment, however.

PRESIDENT ROBAK: Senator Warner.

SENATOR WARNER: Madam President and members of the Legislature, this, I assume I wouldn't have had to suspend the rule, perhaps nobody would have thought about it, but I prefer to do it according to the rule. If you look on page 719 of the Journal, there was an amendment which is the one we're going to take up. It was filed to LB 136 and when it was filed I forgot it would have an A bill at some point. And this amendment needs to be enacted. Some of you or perhaps all of you will...may have read or heard that the...when the Secretary of State's office sent out the corporate occupation tax forms last December sometime, I believe, they went out, why with those forms there was a payment schedule that was in error and it continued the higher level of occupation tax that was enacted a couple, three years ago, those of you who were here will recall in connection with some of the personal property tax issues when we were trying to, and shortage of funds, that we were trying to tie things together. Once it was discovered, when Mr. Moore became Secretary of State, it was discovered that those forms that were in error as to the due...as to the amount of tax due based on the capitalization of the corporation and a correction was sent out. However, there was no provision in law that permitted a refund of those who had overpaid. And all this section does, if you look on page 719, is it puts into statute the authorization for a refund of those overpaid occupation, corporate occupation tax for those who may have paid prior to getting the second notice which had the corrective number. I'm offering the motion to suspend the rule to put it on this bill. It's not germane but we couldn't find one that was. It is needed to be done at some time later in the session when there's an appropriate bill to probably straighten it out so that it's not cumbersome, but the authorization needs to be there. And, for those reasons, I would ask for a suspension of the rule to adopt...permit this amendment to be put on a fuel tax bill that deals with taxes and that's the only thing in common, so that these refunds then can begin to be processed for those who overpaid by virtue of being incorrectly notified as to what they were owed. With that,